

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

AHMED ABDEL-RAOUF, M.D. :
 :
 :
v. : CIV. NO. 3:12CV776 (HBF)
 :
 :
YALE UNIVERSITY :
 :
 :

RULING ON MOTIONS IN LIMINE

Defendant's Motion In Limine to preclude testimony and/or exhibits relating to plaintiff's performance at Meharry Medical College [Doc. #88] is **GRANTED**.

Defendant's Motion in Limine to preclude plaintiff from offering any testimony and/or exhibits regarding his post-traumatic stress disorder ("PTSD") and high blood pressure [Doc. #89] is **GRANTED**. Plaintiff is not precluded from describing his physical condition and emotional distress at the time of the actions complained of.

Defendant's Motion in Limine to preclude plaintiff from introducing evidence of economic loss [Doc. #90] is **GRANTED in part and DENIED in part**. The Motion is **GRANTED** as to testimony regarding lost earnings capacity, such that plaintiff is precluded from offering evidence of the earnings of Yale University physicians or testifying that he would have earned a specific greater amount of money if he had completed the residency program at Yale University. Defendant's Motion is

GRANTED on the current foundation and record as to the United States Department of Labor Employment statistics. [Doc. 97 Ex. A]. Defendant's Motion is **DENIED** as to reasonable moving expenses and application expenses to other residency programs, such that plaintiff may testify to a reasonable estimate of these expenses.

Plaintiff's Motion in Limine [Doc. #96] for the court to take judicial notice of the United States Department of Labor Employment statistics is **DENIED** on the current foundation and record.

A ruling on plaintiff's Motion in Limine [Doc. #96] to preclude defendant's proposed Exhibits 519 and 523 is **DEFERRED**. The Court will rule on the admission of these exhibits at trial once the court hears the foundation that is laid for admission. Evaluations that are properly qualified will be admitted for the purpose of showing their effect on the decision making process.

A ruling on plaintiff's Motion in Limine [Doc. #96] to preclude defendant's proposed Exhibit 535 is **DEFERRED**. The Court will rule on the admission of the exhibit based on the record at the time it is offered at trial.

Defendant's Motion in Limine to preclude additional testimony from the deposition of Dr. Diaz [Doc. #100] is **GRANTED** in part and **DENIED** in part as follows:

1. **GRANTED** as to Page 63, Lines 10-24.
2. **GRANTED** as to Page 94, Line 23 - Page 95, line 19.

3. **GRANTED** as to Page 176, Lines 6-24.
4. **GRANTED** as to Page 177, Lines 9-23.
5. **GRANTED** as to Page 178, Lines 11-14.
6. **GRANTED** as to Page 180, Line 13 - Page 181, Line 9.
7. **GRANTED** as to Page 181, Line 25 - Page 183, Line 6.
8. **GRANTED** as to Page 185, Line 1 - Page 186, Line 8.
9. **GRANTED** in part as to Page 235, Line 19-Page 236, Line 16. Remove on Line 15, "And then, just to make matters worse." Begin with Mr. Carey saying, "You say, quote, 'I doubt those problems will change'" Continue through Line 20. Delete Lines 21-23. Begin with Line 24.
10. **DENIED** as to Page 241, Lines 20-25.
11. **GRANTED** as to Page 264, Lines 11-17.
12. **GRANTED** as to Page 282, Lines 15-21.
13. **GRANTED** as to Page 285, Line 15-Page 286, Line 4.
14. **GRANTED** as to Page 290, Lines 14-19.

Defendant's Motion in Limine to preclude the plaintiff from testifying to hearsay statements about Dr. Chiles **[Doc. #101]** is **GRANTED**. Plaintiff is precluded from offering testimony regarding statements he claims were made to him by non-supervisory employees of Yale University about Dr. Chiles.

A ruling on plaintiff's Motion in Limine **[Doc. #104]** to preclude defendant's proposed Exhibit 545 is **DEFERRED**.

ENTERED at Bridgeport this 20th day of January 2015.

_____/s/_____
HOLLY B. FITZSIMMONS
UNITED STATES MAGISTRATE JUDGE